

TRAVERSAL

Applicants respectfully traverse the Examiner's restriction requirement for the following reasons.

A Statement of Classification or Recognition in the Art Was Omitted

Nothing in the record indicates that separate and distinct inventions are claimed. Under MPEP 808.02, restriction is only proper if: (1) each distinct subject has attained recognition in the art as a separate subject by separate classification; (2) each distinct subject has attained recognition in the art as a separate subject even though classified together; or (3) the separate subject matter would require a different field of search. In the present application, 1) there is no indication that each subject has a different classification in the art, 2) no evidence has been presented to indicate that the subjects have attained a separate recognition in the art, and 3) there is no indication that separate subject matter would require a different field of search.

Searching All the Claims Is Not a Serious Burden

MPEP Sec. 803 states that:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

No serious burden has been shown. The Examiner has not indicated whether the six identified species are classified in different classes or subclasses or classified in the same class and subclass. The Examiner has not provided any rationale to indicate that searching the six species would be a "serious burden" as required by the MPEP in

LAW OFFICES

FINNEGAN, HENDERSON,
FARABOW, GARRETT,
& DUNNER, L.L.P.
1300 I STREET, N.W.
WASHINGTON, DC 20005
202-408-4000

order for the restriction requirement to be proper. Nothing in the record indicates that it would be a serious burden to search all the claims.

CONCLUSION

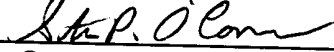
In view of the foregoing, applicants respectfully request the Examiner to reconsider and withdraw the restriction/election requirement and to examine all of the claims pending in this application.


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

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By: 
Steven P. O'Connor
Reg. No. 41,225
(202) 408-4079

By: 
Charles D. Niebylski
Reg. No. 46,116
(202) 408-4128